

## REMARKS

Applicant thanks the Examiner for conducting a personal interview with applicant's representative on September 9, 2004, in which the Examiner conceded that amending claims 1, 13, 18, 24, and 29 to recite "detecting a screen angle of an image pattern described on a document based on the image data" distinguishes the claims over the detection of a paper angle as indicated in Paper No. 17.

The Examiner rejected claims 1, 2, 7, 8, 13, 18, 19, 24, 25, and 29 under 35 USC 102(a) as anticipated by JA 6-178133 (hereinafter, "JP 133") in view of Pellar. Applicant respectfully submits that this two-reference anticipation rejection is improper. The Examiner has not used Pellar properly as a supplemental reference to support an anticipation rejection by using it solely to explain what JP 133 discloses. See MPEP 2131.01. Applicant assumes that the Examiner intended a rejection under 35 USC 1039a0. Applicant respectfully traverses the rejection. If applicant is incorrect in this assumption, applicant respectfully requests that the Examiner clarify the rejection in a new Action.

Claim 1 recites "detecting a screen angle of an image pattern described on a document based on the image data." While the Examiner cited JP 133 as disclosing this feature of claim 1, applicant respectfully submits that JP 133 has no such disclosure. Instead, JP 133 teaches a method of determining the physical orientation of paper that is loaded into a printer so that an image can be printed with a desired orientation with respect to the paper. JP 133 is concerned with instances where the software is set to print to paper having one orientation but the paper is physically loaded in a different orientation, for example, a case where the software is set to print a document on paper loaded in a portrait orientation but the paper is loaded in a landscape orientation. This disclosure of JP 133 is clearly detailed in the "Means to Resolve the Problems" section of JP 133, page 3, which teaches a "printer including a determination means 1 that determines the orientation of the paper set in the printer, an instruction means 2 that instructs screen angle adjustment, and screen angle adjustment means 3 that, when the determination

means 1 determines that the paper is set in the designated orientation and the instruction means 2 instructs screen angle adjustment, changes the screen angle.”

Applicant respectfully submits that JP 133 discloses rotating and printing an image based on the detection of a paper angle. JP 133 does not disclose detecting a screen angle of an image pattern described on a document based on the image data as recited in claim 1. Furthermore, applicant again notes that the Examiner has conceded that the language of claim 1 is distinguishable over art which detects only the physical orientation, or angle, of the paper. The Examiner has not cited Pellar as disclosing, and Pellar does not disclose, the above quoted features of claim 1. Therefore, applicant respectfully submits that the combination of JP 133 and Pellar fails to anticipate the invention as recited in claim 1. Accordingly, applicant believes that claim 1 is in condition for immediate allowance.

The remaining independent claims 7, 13, 18, 24, and 29 all recite “detecting a screen angle of an image pattern described on a document based on the image data,” and are therefore allowable for at least the reasons stated above with regard to claim 1.

The Examiner indicated that claims 3-6, 9-12, 14-17, 20-23, and 26-28 contain allowable subject matter and would be allowable if written in independent form to include all the limitations of their respective base claims as well as any intervening claims. Applicant believes that the independent claims are allowable for at least the reasons stated above, and has therefore respectfully maintained claims 3-6, 9-12, 14-17, 20-23, and 26-28 in dependent form.

Early action allowing claims 1-29 is solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952, referencing Docket No. 325772012000.

Respectfully submitted,

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